THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.6815 of 2006

Dt.6.4.2006

Between:

Paladugu Rajendra … Petitioner

And

The State of A.P., rep. By its Secretary to
Government, Panchayat Raj Department,
Secretariat, Hyderabad and others

…Respondents

ORDER:

The petitioners seeks to issue writ of mandamus declaring the proceedings of the 3rd respondent in Roc.No.193/2005 Pts.7 dt.30.12.2005 as illegal and consequently hold that the petitioner is entitled for extension of the lease for a period of 109 days due to obstruction caused by the respondents for the period from 6.8.2005 to 22.11.2005 in respect of sand reach in S.No.621 of K.Kothapalem Village, Mopidevi Mandal, Krishna District in an extent of 1.4 K.M. under the agreement dated 26.5.2005.

The petitioner was the lessee in respect of sand reach in S.No.621 of K.Kothapalem Village, Mopidevi Mandal, Krishna District, to an extent of 1.4 K.M., for a period of one year from 10.2.2005 to 9.2.2006 as per the lease agreement dated 26.5.2006. The Mandal Revenue Officer, Mopidevi directed the petitioner to stop the quarrying operations due to floods and release of water from Krishna River from 6.8.2005 to 22.11.2005 i.e., for a period of 109 days. Therefore, the petitioner filed a representation for extension of time for a period of 109 days after the expiry of the lease period. But the same was rejected by the 3rd respondent in Roc.No.193/2005, Pts.7 dated 30.12.2005. As against said order, the petitioner made a representation before the first respondent on 19.1.2006 and the first respondent called for remarks of the District Panchayat Officer and the same has been

submitted in Roc.No.193/2005 Pts-7, dt.23.1.2006.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development on behalf of the respondents.

I am not inclined to express any opinion on the merits of the case with regard to the pendency of the said representation. But, however, having regard to the facts and circumstances of the case, if any representation dated 19.1.2006 said to have been filed by the petitioner is pending before the first respondent, the first respondent may consider and dispose of the same in accordance with law.

The writ petition is disposed of accordingly. No order as to costs.

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V.ESWARAIAH, J.

6.4.2006

Note: Issue copy by 10.6.2006

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